

# FEDERAL OPERATING PERMIT

A FEDERAL OPERATING PERMIT IS HEREBY ISSUED TO  
Bio Energy (Texas), LLC

AUTHORIZING THE OPERATION OF  
Covel Gardens Landfill Gas Power Station  
Electric Services

LOCATED AT  
Bexar County, Texas  
Latitude 29° 20' 47" Longitude 98° 38' 12"  
Regulated Entity Number: RN104156062

This permit is issued in accordance with and subject to the Texas Clean Air Act (TCAA), Chapter 382 of the Texas Health and Safety Code and Title 30 Texas Administrative Code Chapter 122 (30 TAC Chapter 122), Federal Operating Permits. Under 30 TAC Chapter 122, this permit constitutes the permit holder's authority to operate the site and emission units listed in this permit. Operations of the site and emission units listed in this permit are subject to all additional rules or amended rules and orders of the Commission pursuant to the TCAA.

This permit does not relieve the permit holder from the responsibility of obtaining New Source Review authorization for new, modified, or existing facilities in accordance with 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.

The site and emission units authorized by this permit shall be operated in accordance with 30 TAC Chapter 122, the general terms and conditions, special terms and conditions, and attachments contained herein.

This permit shall expire five years from the date of issuance. The renewal requirements specified in 30 TAC § 122.241 must be satisfied in order to renew the authorization to operate the site and emission units.

Permit No: 02616 Issuance Date: \_\_\_\_\_

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For the Commission

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## **General Terms and Conditions**

The permit holder shall comply with all terms and conditions contained in 30 TAC § 122.143 (General Terms and Conditions), 30 TAC § 122.144 (Recordkeeping Terms and Conditions), 30 TAC § 122.145 (Reporting Terms and Conditions), and 30 TAC § 122.146 (Compliance Certification Terms and Conditions).

In accordance with 30 TAC § 122.144(1), records of required monitoring data and support information required by this permit, or any applicable requirement codified in this permit, are required to be maintained for a period of five years from the date of the monitoring report, sample, or application unless a longer data retention period is specified in an applicable requirement. The five year record retention period supersedes any less stringent retention requirement that may be specified in a condition of a permit identified in the New Source Review Authorization attachment.

If the permit holder chooses to demonstrate that this permit is no longer required, a written request to void this permit shall be submitted to the Texas Commission on Environmental Quality (TCEQ) by the Responsible Official in accordance with 30 TAC § 122.161(e). The permit holder shall comply with the permit's requirements, including compliance certification and deviation reporting, until notified by the TCEQ that this permit is voided.

The permit holder shall comply with 30 TAC Chapter 116 by obtaining a New Source Review authorization prior to new construction or modification of emission units located in the area covered by this permit.

All reports required by this permit must include in the submittal a cover letter which identifies the following information: company name, TCEQ regulated entity number, air account number (if assigned), site name, area name (if applicable), and Air Permits Division permit number(s).

## **Special Terms and Conditions:**

### **Emission Limitations and Standards, Monitoring and Testing, and Recordkeeping and Reporting**

1. Permit holder shall comply with the following requirements:
  - A. Emission units (including groups and processes) in the Applicable Requirements Summary attachment shall meet the limitations, standards, equipment specifications, monitoring, recordkeeping, reporting, testing, and other requirements listed in the Applicable Requirements Summary attachment to assure compliance with the permit.
  - B. The textual description in the column titled "Textual Description" in the Applicable Requirements Summary attachment is not enforceable and is not deemed as a substitute for the actual regulatory language. The Textual Description is provided for information purposes only.
  - C. A citation listed on the Applicable Requirements Summary attachment, which has a notation [G] listed before it, shall include the referenced section and subsection for all commission rules, or paragraphs for all federal and state regulations and all subordinate paragraphs, subparagraphs and clauses, subclauses, and items contained within the referenced citation as applicable requirements.

- D. When a grouped citation, notated with a [G] in the Applicable Requirements Summary, contains multiple compliance options, the permit holder must keep records of when each compliance option was used.
  - E. Emission units subject to 40 CFR Part 63, Subpart AAAA and ZZZZ as identified in the attached Applicable Requirements Summary table are subject to 30 TAC Chapter 113, Subchapter C, §113.840 and §113.1090 which incorporate the 40 CFR Part 63 Subpart by reference.
2. The permit holder shall comply with the following sections of 30 TAC Chapter 101 (General Air Quality Rules):
- A. Title 30 TAC § 101.1 (relating to Definitions), insofar as the terms defined in this section are used to define the terms used in other applicable requirements
  - B. Title 30 TAC § 101.3 (relating to Circumvention)
  - C. Title 30 TAC § 101.8 (relating to Sampling), if such action has been requested by the TCEQ
  - D. Title 30 TAC § 101.9 (relating to Sampling Ports), if such action has been requested by the TCEQ
  - E. Title 30 TAC § 101.10 (relating to Emissions Inventory Requirements)
  - F. Title 30 TAC § 101.201 (relating to Emission Event Reporting and Recordkeeping Requirements)
  - G. Title 30 TAC § 101.211 (relating to Scheduled Maintenance, Start-up, and Shutdown Reporting and Recordkeeping Requirements)
  - H. Title 30 TAC § 101.221 (relating to Operational Requirements)
  - I. Title 30 TAC § 101.222 (relating to Demonstrations)
  - J. Title 30 TAC § 101.223 (relating to Actions to Reduce Excessive Emissions)
3. Permit holder shall comply with the following requirements of 30 TAC Chapter 111:
- A. Visible emissions from stationary vents with a flow rate of less than 100,000 actual cubic feet per minute and constructed after January 31, 1972 that are not listed in the Applicable Requirements Summary attachment for 30 TAC Chapter 111, Subchapter A, Division 1, shall not exceed 20% opacity averaged over a six-minute period. The permit holder shall comply with the following requirements for stationary vents at the site subject to this standard:
    - (i) Title 30 TAC § 111.111(a)(1)(B) (relating to Requirements for Specified Sources)
    - (ii) Title 30 TAC § 111.111(a)(1)(E)
    - (iii) Title 30 TAC § 111.111(a)(1)(F)(i), (ii), (iii), or (iv)

- (iv) For emission units with vent emissions subject to 30 TAC § 111.111(a)(1)(B), complying with 30 TAC § 111.111(a)(1)(F)(ii), (iii), or (iv), and capable of producing visible emissions from, but not limited to, particulate matter, acid gases and NO<sub>x</sub>, the permit holder shall also comply with the following periodic monitoring requirements for the purpose of annual compliance certification under 30 TAC § 122.146. These periodic monitoring requirements do not apply to vents that are not capable of producing visible emissions such as vents that emit only colorless VOCs; vents from non-fuming liquids; vents that provide passive ventilation, such as plumbing vents; or vent emissions from any other source that does not obstruct the transmission of light. Vents, as specified in the “Applicable Requirements Summary” attachment, that are subject to the emission limitation of 30 TAC § 111.111(a)(1)(B) are not subject to the following periodic monitoring requirements:
- (1) An observation of stationary vents from emission units in operation shall be conducted at least once during each calendar quarter unless the emission unit is not operating for the entire quarter.
  - (2) For stationary vents from a combustion source, if an alternative to the normally fired fuel is fired for a period greater than or equal to 24 consecutive hours, the permit holder shall conduct an observation of the stationary vent for each such period to determine if visible emissions are present. If such period is greater than 3 months, observations shall be conducted once during each quarter. Supplementing the normally fired fuel with natural gas or fuel gas to increase the net heating value to the minimum required value does not constitute creation of an alternative fuel.
  - (3) Records of all observations shall be maintained.
  - (4) Visible emissions observations of emission units operated during daylight hours shall be conducted no earlier than one hour after sunrise and no later than one hour before sunset. Visible emissions observations of emission units operated only at night must be made with additional lighting and the temporary installation of contrasting backgrounds. Visible emissions observations shall be made during times when the activities described in 30 TAC § 111.111(a)(1)(E) are not taking place. Visible emissions shall be determined with each stationary vent in clear view of the observer. The observer shall be at least 15 feet, but not more than 0.25 mile, away from each stationary vent during the observation. For outdoor locations, the observer shall select a position where the sun is not directly in the observer’s eyes. When condensed water vapor is present within the plume, as it emerges from the emissions outlet, observations must be made beyond the point in the plume at which condensed water vapor is no longer visible. When water vapor within the plume condenses and becomes visible at a distance from the emissions outlet, the observation shall be evaluated at the outlet prior to condensation of water vapor. A certified opacity reader is not required for visible emissions observations.

(5) Compliance Certification:

- (a) If visible emissions are not present during the observation, the RO may certify that the source is in compliance with the applicable opacity requirement in 30 TAC § 111.111(a)(1) and (a)(1)(B).
- (b) However, if visible emissions are present during the observation, the permit holder shall either list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2) or conduct the appropriate opacity test specified in 30 TAC § 111.111(a)(1)(F) as soon as practicable, but no later than 24 hours after observing visible emissions to determine if the source is in compliance with the opacity requirements. If an opacity test is performed and the source is determined to be in compliance, the RO may certify that the source is in compliance with the applicable opacity requirement. However, if an opacity test is performed and the source is determined to be out of compliance, the permit holder shall list this occurrence as a deviation on the next deviation report as required under 30 TAC § 122.145(2). The opacity test must be performed by a certified opacity reader.
- (c) Some vents may be subject to multiple visible emission or monitoring requirements. All credible data must be considered when certifying compliance with this requirement even if the observation or monitoring was performed to demonstrate compliance with a different requirement.

B. Certification of opacity readers determining opacities under Method 9 (as outlined in 40 CFR Part 60, Appendix A) to comply with opacity monitoring requirements shall be accomplished by completing the Visible Emissions Evaluators Course, or approved agency equivalent, no more than 180 days before the opacity reading.

4. The permit holder shall comply with the following requirements for units subject to any subpart of 40 CFR Part 60, unless otherwise stated in the applicable subpart:

- A. Title 40 CFR § 60.7 (relating to Notification and Recordkeeping)
- B. Title 40 CFR § 60.8 (relating to Performance Tests)
- C. Title 40 CFR § 60.11 (relating to Compliance with Standards and Maintenance Requirements)
- D. Title 40 CFR § 60.12 (relating to Circumvention)
- E. Title 40 CFR § 60.13 (relating to Monitoring Requirements)
- F. Title 40 CFR § 60.14 (relating to Modification)

- G. Title 40 CFR § 60.15 (relating to Reconstruction)
- H. Title 40 CFR § 60.19 (relating to General Notification and Reporting Requirements)
- 5. The permit holder shall comply with the requirements of 30 TAC Chapter 113, Subchapter C, § 113.100 for units subject to any subpart of 40 CFR Part 63, unless otherwise stated in the applicable subpart.

#### **New Source Review Authorization Requirements**

- 6. Permit holder shall comply with the requirements of New Source Review authorizations issued or claimed by the permit holder for the permitted area, including permits, permits by rule, standard permits, flexible permits, special permits, permits for existing facilities including Voluntary Emissions Reduction Permits and Electric Generating Facility Permits issued under 30 TAC Chapter 116, Subchapter I, or special exemptions referenced in the New Source Review Authorization References attachment. These requirements:
  - A. Are incorporated by reference into this permit as applicable requirements
  - B. Shall be located with this operating permit
  - C. Are not eligible for a permit shield
- 7. The permit holder shall comply with the general requirements of 30 TAC Chapter 106, Subchapter A or the general requirements, if any, in effect at the time of the claim of any PBR.
- 8. The permit holder shall maintain records to demonstrate compliance with any emission limitation or standard that is specified in a permit by rule (PBR) or Standard Permit listed in the New Source Review Authorizations attachment. The records shall yield reliable data from the relevant time period that are representative of the emission unit's compliance with the PBR or Standard Permit. These records may include, but are not limited to, production capacity and throughput, hours of operation, safety data sheets (SDS), chemical composition of raw materials, speciation of air contaminant data, engineering calculations, maintenance records, fugitive data, performance tests, capture/control device efficiencies, direct pollutant monitoring (CEMS, COMS, or PEMS), or control device parametric monitoring. These records shall be made readily accessible and available as required by 30 TAC § 122.144. Any monitoring or recordkeeping data indicating noncompliance with the PBR or Standard Permit shall be considered and reported as a deviation according to 30 TAC § 122.145 (Reporting Terms and Conditions).

#### **Compliance Requirements**

- 9. The permit holder shall certify compliance in accordance with 30 TAC § 122.146. The permit holder shall comply with 30 TAC § 122.146 using at a minimum, but not limited to, the continuous or intermittent compliance method data from monitoring, recordkeeping, reporting, or testing required by the permit and any other credible evidence or information. The certification period may not exceed 12 months and the certification must be submitted within 30 days after the end of the period being certified.

10. Use of Discrete Emission Credits to comply with the applicable requirements:
- A. Unless otherwise prohibited, the permit holder may use discrete emission credits to comply with the following applicable requirements listed elsewhere in this permit:
    - (i) Title 30 TAC Chapter 115
    - (ii) Title 30 TAC Chapter 117
    - (iii) If applicable, offsets for Title 30 TAC Chapter 116
    - (iv) Temporarily exceed state NSR permit allowables
  - B. The permit holder shall comply with the following requirements in order to use the credit to comply with the applicable requirements:
    - (i) The permit holder must notify the TCEQ according to 30 TAC § 101.376(d)
    - (ii) The discrete emission credits to be used must meet all the geographic, timeliness, applicable pollutant type, and availability requirements listed in 30 TAC Chapter 101, Subchapter H, Division 4
    - (iii) The executive director has approved the use of the discrete emission credits according to 30 TAC § 101.376(d)(1)(A)
    - (iv) The permit holder keeps records of the use of credits towards compliance with the applicable requirements in accordance with 30 TAC § 101.372(h) and 30 TAC Chapter 122
    - (v) Title 30 TAC § 101.375 (relating to Emission Reductions Achieved Outside the United States)

**Permit Location**

11. The permit holder shall maintain a copy of this permit and records related to requirements listed in this permit on site.

**Permit Shield (30 TAC § 122.148)**

12. A permit shield is granted for the emission units, groups, or processes specified in the attached "Permit Shield." Compliance with the conditions of the permit shall be deemed compliance with the specified potentially applicable requirements or specified potentially applicable state-only requirements listed in the attachment "Permit Shield." Permit shield provisions shall not be modified by the executive director until notification is provided to the permit holder. No later than 90 days after notification of a change in a determination made by the executive director, the permit holder shall apply for the appropriate permit revision to reflect the new determination. Provisional terms are not eligible for this permit shield. Any term or condition, under a permit shield, shall not be protected by the permit shield if it is replaced by a provisional term or condition or the basis of the term and condition changes.



## **Attachments**

**Applicable Requirements Summary**

**Permit Shield**

**New Source Review Authorization References**

**Applicable Requirements Summary**

**Unit Summary .....9**

**Applicable Requirements Summary ..... 10**

Note: A “none” entry may be noted for some emission sources in this permit’s “Applicable Requirements Summary” under the heading of “Monitoring and Testing Requirements” and/or “Recordkeeping Requirements” and/or “Reporting Requirements.” Such a notation indicates that there are no requirements for the indicated emission source as identified under the respective column heading(s) for the stated portion of the regulation when the emission source is operating under the conditions of the specified SOP Index Number. However, other relevant requirements pursuant to 30 TAC Chapter 122 including Recordkeeping Terms and Conditions (30 TAC § 122.144), Reporting Terms and Conditions (30 TAC § 122.145), and Compliance Certification Terms and Conditions (30 TAC § 122.146) continue to apply.

### Unit Summary

Unit/Group/ Process ID No.	Unit Type	Group/Inclusive Units	SOP Index No.	Regulation	Requirement Driver
E1	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
E2	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
E3	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
E4	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
E5	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
E6	SRIC ENGINES	N/A	63ZZZZ-1	40 CFR Part 63, Subpart ZZZZ	No changing attributes.
GTS	GAS TREATMENT SYSTEM	N/A	60WWW-1	40 CFR Part 60, Subpart WWW	No changing attributes.
GTS	GAS TREATMENT SYSTEM	N/A	63AAAA-1	40 CFR Part 63, Subpart AAAA	No changing attributes.

### Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition I.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
E1	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6603(a)-Table2d.13 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(j) § 63.6640(b)	For each existing non-emergency, non-black start landfill or digester gas-fired stationary RICE, located at an area source, you must comply with the requirements as specified in Table 2d.13.a-c.	§ 63.6625(j) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(j) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)
E2	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6603(a)-Table2d.13 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(j) § 63.6640(b)	For each existing non-emergency, non-black start landfill or digester gas-fired stationary RICE, located at an area source, you must comply with the requirements as specified in Table 2d.13.a-c.	§ 63.6625(j) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(j) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)
E3	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6603(a)-Table2d.13 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(j) § 63.6640(b)	For each existing non-emergency, non-black start landfill or digester gas-fired stationary RICE, located at an area source, you must comply with the requirements as specified in Table 2d.13.a-c.	§ 63.6625(j) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(j) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)
E4	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6603(a)-Table2d.13 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(j) § 63.6640(b)	For each existing non-emergency, non-black start landfill or digester gas-fired stationary RICE, located at an area source, you must comply with the requirements as specified in Table 2d.13.a-c.	§ 63.6625(j) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(j) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)

### Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition I.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
E5	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6603(a)-Table2d.13 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(j) § 63.6640(b)	For each existing non-emergency, non-black start landfill or digester gas-fired stationary RICE, located at an area source, you must comply with the requirements as specified in Table 2d.13.a-c.	§ 63.6625(j) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(j) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)
E6	EU	63ZZZZ-1	112(B) HAPS	40 CFR Part 63, Subpart ZZZZ	§ 63.6603(a)-Table2d.13 § 63.6595(a)(1) § 63.6605(a) § 63.6605(b) § 63.6625(e) § 63.6625(h) § 63.6625(j) § 63.6640(b)	For each existing non-emergency, non-black start landfill or digester gas-fired stationary RICE, located at an area source, you must comply with the requirements as specified in Table 2d.13.a-c.	§ 63.6625(j) § 63.6640(a) § 63.6640(a)-Table6.9.a.i § 63.6640(a)-Table6.9.a.ii § 63.6640(b)	§ 63.6625(j) § 63.6655(a) § 63.6655(a)(1) § 63.6655(d) § 63.6655(e) § 63.6660(a) § 63.6660(b) § 63.6660(c)	§ 63.6640(b) § 63.6640(e) § 63.6650(f)
GTS	CD	60WWW-1	VOC	40 CFR Part 60, Subpart WWW	§ 60.752(b)(2)(iii)(C) § 60.752(b)(2)(iv) § 60.753(f) § 60.755(e)	Route the collected gas to a treatment system that processes the collected gas for subsequent sale or use. All emissions from any atmospheric vent from the gas treatment system shall be subject to the requirements of paragraph (b)(2)(iii) (A) or (B) of this section.	§ 60.756(d)	§ 60.758(c)(2)	§ 60.757(f)(2) § 60.757(f)(3)

### Applicable Requirements Summary

Unit Group Process ID No.	Unit Group Process Type	SOP Index No.	Pollutant	State Rule or Federal Regulation Name	Emission Limitation, Standard or Equipment Specification Citation	Textual Description (See Special Term and Condition I.B.)	Monitoring And Testing Requirements	Recordkeeping Requirements (30 TAC § 122.144)	Reporting Requirements (30 TAC § 122.145)
GTS	CD	63AAAA-1	112B(HAPS)	40 CFR Part 63, Subpart AAAA	§ 63.1955(a)(1) § 60.752(b)(2)(iii)(C) § 60.752(b)(2)(iv) § 60.753(f) § 60.755(e) § 63.1955(b) § 63.1960 § 63.1980	Comply with the requirements of 40 CFR Part 60, Subpart WWW.	§ 60.756(d) § 63.1960	§ 60.758(c)(2) § 63.1960 § 63.1980(b)	§ 60.757(f)(2) § 60.757(f)(3) § 63.1980(a)

**Permit Shield**

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### Permit Shield

The Executive Director of the TCEQ has determined that the permit holder is not required to comply with the specific regulation(s) identified for each emission unit, group, or process in this table.

Unit/Group/Process		Regulation	Basis of Determination
ID No.	Group/Inclusive Units		
E1	N/A	40 CFR Part 60, Subpart JJJJ	Engine is a stationary SI RICE that commenced construction prior to 06/12/2006.
E2	N/A	40 CFR Part 60, Subpart JJJJ	Engine is a stationary SI RICE that commenced construction prior to 06/12/2006.
E3	N/A	40 CFR Part 60, Subpart JJJJ	Engine is a stationary SI RICE that commenced construction prior to 06/12/2006.
E4	N/A	40 CFR Part 60, Subpart JJJJ	Engine is a stationary SI RICE that commenced construction prior to 06/12/2006.
E5	N/A	40 CFR Part 60, Subpart JJJJ	Engine is a stationary SI RICE that commenced construction prior to 06/12/2006.
E6	N/A	40 CFR Part 60, Subpart JJJJ	Engine is a stationary SI RICE that commenced construction prior to 06/12/2006.



**New Source Review Authorization References**

<b>New Source Review Authorization References.....</b>	<b>16</b>
<b>New Source Review Authorization References by Emission Unit .....</b>	<b>17</b>

### New Source Review Authorization References

The New Source Review authorizations listed in the table below are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

Prevention of Significant Deterioration (PSD) Permits	
PSD Permit No.: PSDTX1034	Issuance Date: 05/06/2016
Title 30 TAC Chapter 116 Permits, Special Permits, and Other Authorizations (Other Than Permits By Rule, PSD Permits, or NA Permits) for the Application Area.	
Authorization No.: 56641	Issuance Date: 05/06/2016

### **New Source Review Authorization References by Emissions Unit**

The following is a list of New Source Review (NSR) authorizations for emission units listed elsewhere in this operating permit. The NSR authorizations are applicable requirements under 30 TAC Chapter 122 and enforceable under this operating permit.

<b>Unit/Group/Process ID No.</b>	<b>Emission Unit Name/Description</b>	<b>New Source Review Authorization</b>
E1	LFG FUELED IC ENGINE NO. 1	56641, PSDTX1034
E2	LFG FUELED IC ENGINE NO. 2	56641, PSDTX1034
E3	LFG FUELED IC ENGINE NO. 3	56641, PSDTX1034
E4	LFG FUELED IC ENGINE NO. 4	56641, PSDTX1034
E5	LFG FUELED IC ENGINE NO. 5	56641, PSDTX1034
E6	LFG FUELED IC ENGINE NO. 6	56641, PSDTX1034
GTS	GAS TREATMENT SYSTEM	56641, PSDTX1034

**Appendix A**

**Acronym List ..... 19**

## Acronym List

The following abbreviations or acronyms may be used in this permit:

ACFM .....	actual cubic feet per minute
AMOC .....	alternate means of control
ARP .....	Acid Rain Program
ASTM .....	American Society of Testing and Materials
B/PA .....	Beaumont/Port Arthur (nonattainment area)
CAM .....	Compliance Assurance Monitoring
CD .....	control device
COMS .....	continuous opacity monitoring system
CVS .....	closed-vent system
D/FW .....	Dallas/Fort Worth (nonattainment area)
DR .....	Designated Representative
ELP .....	El Paso (nonattainment area)
EP .....	emission point
EPA .....	U.S. Environmental Protection Agency
EU .....	emission unit
FCAA Amendments .....	Federal Clean Air Act Amendments
FOP .....	federal operating permit
GF .....	grandfathered
gr/100 scf .....	grains per 100 standard cubic feet
HAP .....	hazardous air pollutant
H/G/B .....	Houston/Galveston/Brazoria (nonattainment area)
H <sub>2</sub> S .....	hydrogen sulfide
ID No. ....	identification number
lb/hr .....	pound(s) per hour
MMBtu/hr .....	Million British thermal units per hour
MRRT .....	monitoring, recordkeeping, reporting, and testing
NA .....	nonattainment
N/A .....	not applicable
NADB .....	National Allowance Data Base
NO <sub>x</sub> .....	nitrogen oxides
NSPS .....	New Source Performance Standard (40 CFR Part 60)
NSR .....	New Source Review
ORIS .....	Office of Regulatory Information Systems
Pb .....	lead
PBR .....	Permit By Rule
PM .....	particulate matter
ppmv .....	parts per million by volume
PSD .....	prevention of significant deterioration
RO .....	Responsible Official
SO <sub>2</sub> .....	sulfur dioxide
TCEQ .....	Texas Commission on Environmental Quality
TSP .....	total suspended particulate
TVP .....	true vapor pressure
U.S.C. ....	United States Code
VOC .....	volatile organic compound

**Appendix B**

<b>Major NSR Summary Table .....</b>	<b>21</b>
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### Major NSR Summary Table

Permit Number: 56641 and PSDTX1034					Issuance Date: 05/06/2016		
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lb/hr	TPY**	Spec. Cond.	Spec. Cond.	Spec. Cond.
E1	Engine 1 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
E2	Engine 2 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
E3	Engine 3 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
E4	Engine 4 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			

### Major NSR Summary Table

Permit Number: 56641 and PSDTX1034					Issuance Date: 05/06/2016		
Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	Emission Rates *		Monitoring and Testing Requirements	Recordkeeping Requirements	Reporting Requirements
			lb/hr	TPY**	Spec. Cond.	Spec. Cond.	Spec. Cond.
E5	Engine 5 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
E6	Engine 6 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
E7	Engine7 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
E8	Engine 8 Caterpillar, Model G3520C 2,172 bHP	NOx	2.87	12.58	5, 6	5, 6, 8, 9	5, 10
		CO	13.41	58.73			
		VOC	0.76	3.34			
		SO2	3.29	5.64			
		PM10	0.71	3.12			
	Fugitives (4)	VOC	0.04	0.18			



Footnote:

- (1) Emission point identification - either specific equipment designation or emission point number from a plot plan.
  - (2) Specific point source names. For fugitive sources, use an area name or fugitive source name.
  - (3) VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
NO<sub>x</sub> - total oxides of nitrogen  
SO<sub>2</sub> - sulfur dioxide  
PM<sub>10</sub> - particulate matter (PM) equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no particulate matter greater than 10 microns is emitted.  
CO - carbon monoxide
  - (4) Fugitive emissions are an estimate only and should not be considered as a maximum allowable emission rate. Fugitive emissions include emissions from the Landfill Gas Treatment System.
- \* Emission rates are based on and the facilities are limited by the following maximum operating schedule:  
24 Hrs/day 7 Days/week 52 Weeks/year or 8,760 Hrs/year
- \*\* Compliance with annual emission limits is based on a rolling 12-month period.

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY**  
*Protecting Texas by Reducing and Preventing Pollution*

May 6, 2016

MR DENNIS BOLLINGER  
COMPLIANCE MANAGER  
BIO ENERGY TEXAS LLC  
3322 W END AVE STE 115  
NASHVILLE TN 37203-6855

Re: Permit Renewal  
Permit Number: 56641  
Expiration Date: May 6, 2026  
Bio Energy (Texas), LLC  
Covel Gardens Landfill Gas Power Station  
San Antonio, Bexar County  
Regulated Entity Number: RN104156062  
Customer Reference Number: CN601527534  
Account Number: BG-A001-A  
Associated Permit Number: PSDTX1034

Dear Mr. Bollinger:

This is in response to your application Form PI-1R (General Application for Air Permit Renewals) concerning the proposed renewal of Permit Number 56641. Also, this will acknowledge that your application for the above-referenced renewal is technically complete as of March 16, 2016.

In accordance with Title 30 Texas Administrative Code Section 116.314(a), and based on our review, Permit Number 56641 is hereby renewed. Since you certified there were no changes to your existing permit, it is renewed as written and will be in effect for ten years from the date of approval (Commission's final decision). Please attach this letter and new general conditions (permit face) to your permit. We appreciate your careful review of the special conditions of the permit and assuring that all requirements are consistently met.

You may file a **motion to overturn** with the Chief Clerk. A motion to overturn is a request for the commission to review the executive director's decision. Any motion must explain why the commission should review the executive director's decision. According to 30 TAC Section 50.139, an action by the executive director is not affected by a motion to overturn filed under this section unless expressly ordered by the commission.

A motion to overturn must be received by the Chief Clerk within 23 days after the date of this letter. An original and 7 copies of a motion must be filed with the Chief Clerk in person, or by mail to the Chief Clerk's address on the attached mailing list. On the same day the motion is transmitted to the Chief Clerk, please provide copies to the applicant, the executive director's attorney, and the Public Interest Counsel at the addresses listed on the attached mailing list. If a

Mr. Dennis Bollinger

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May 6, 2016

Re: Permit Number: 56641

motion to overturn is not acted on by the commission within 45 days after the date of this letter, then the motion shall be deemed overruled.

You may also request **judicial review** of the executive director's approval. According to Texas Health and Safety Code Section 382.032, a person affected by the executive director's approval must file a petition appealing the executive director's approval in Travis County district court within 30 days after the **effective date of the approval**. Even if you request judicial review, you still must exhaust your administrative remedies, which includes filing a motion to overturn in accordance with the previous paragraphs.

You are reminded that these facilities must be in compliance with all rules and regulations of the Texas Commission on Environmental Quality (TCEQ) and of the U.S. Environmental Protection Agency at all times.

If you need further information or have any questions, please contact Mr. Marc Sturdivant at (512) 239-1313 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

This action is taken under authority delegated by the Executive Director of the TCEQ.

Sincerely,

Michael Wilson, P.E., Director  
Air Permits Division  
Office of Air  
Texas Commission on Environmental Quality

MPW/ms

Enclosures

Cc: Sanitarian Services Manager, Food and Environment Division, San Antonio Metropolitan Health District, San Antonio  
Air Section Manager, Region 13 - San Antonio  
Air Permits Section Chief, New Source Review Section (6PD-R), U.S. Environmental Protection Agency, Region 6, Dallas

Project Number: 248436

**Texas Commission on Environmental Quality**  
**Air Quality Permit**

*A Permit Is Hereby Issued To*  
**Bio Energy (Texas), LLC**  
*Authorizing the Continued Operation of*  
**Covel Gardens Landfill Gas Power Station**  
*Located at San Antonio, Bexar County, Texas*  
*Latitude 29° 16' 50" Longitude -98° 53' 10"*

Permits: 56641 and PSDTX1034

Issuance Date: May 6, 2016

Expiration Date: May 6, 2026



For the Commission

1. **Facilities** covered by this permit shall be constructed and operated as specified in the application for the permit. All representations regarding construction plans and operation procedures contained in the permit application shall be conditions upon which the permit is issued. Variations from these representations shall be unlawful unless the permit holder first makes application to the Texas Commission on Environmental Quality (commission) Executive Director to amend this permit in that regard and such amendment is approved. [Title 30 Texas Administrative Code (TAC) Section 116.116 (30 TAC § 116.116)]<sup>1</sup>
2. **Voiding of Permit.** A permit or permit amendment is automatically void if the holder fails to begin construction within 18 months of the date of issuance, discontinues construction for more than 18 months prior to completion, or fails to complete construction within a reasonable time. Upon request, the executive director may grant an 18-month extension. Before the extension is granted the permit may be subject to revision based on best available control technology, lowest achievable emission rate, and netting or offsets as applicable. One additional extension of up to 18 months may be granted if the permit holder demonstrates that emissions from the facility will comply with all rules and regulations of the commission, the intent of the Texas Clean Air Act (TCAA), including protection of the public's health and physical property; and (b)(1) the permit holder is a party to litigation not of the permit holder's initiation regarding the issuance of the permit; or (b)(2) the permit holder has spent, or committed to spend, at least 10 percent of the estimated total cost of the project up to a maximum of \$5 million. A permit holder granted an extension under subsection (b)(1) of this section may receive one subsequent extension if the permit holder meets the conditions of subsection (b)(2) of this section. [30 TAC § 116.120]
3. **Construction Progress.** Start of construction, construction interruptions exceeding 45 days, and completion of construction shall be reported to the appropriate regional office of the commission not later than 15 working days after occurrence of the event. [30 TAC § 116.115(b)(2)(A)]
4. **Start-up Notification.** The appropriate air program regional office shall be notified prior to the commencement of operations of the facilities authorized by the permit in such a manner that a representative of the commission may be present. The permit holder shall provide a separate notification for the commencement of operations for each unit of phased construction, which may involve a series of units commencing operations at different times. Prior to operation of the facilities authorized by the permit, the permit holder shall identify the source or sources of allowances to be utilized for compliance with Chapter 101, Subchapter H, Division 3 of this title (relating to Mass Emissions Cap and Trade Program). [30 TAC § 116.115(b)(2)(B)]
5. **Sampling Requirements.** If sampling is required, the permit holder shall contact the commission's Office of Compliance and Enforcement prior to sampling to obtain the proper data forms and procedures. All sampling and testing procedures must be approved by the executive director and coordinated with the regional representatives of the commission. The permit holder is also responsible for providing sampling facilities and conducting the sampling operations or contracting with an independent sampling consultant. [30 TAC § 116.115(b)(2)(C)]
6. **Equivalency of Methods.** The permit holder must demonstrate or otherwise justify the equivalency of emission control methods, sampling or other emission testing methods, and monitoring methods proposed as alternatives to methods indicated in the conditions of the permit. Alternative methods shall

be applied for in writing and must be reviewed and approved by the executive director prior to their use in fulfilling any requirements of the permit. [30 TAC § 116.115(b)(2)(D)]

7. **Recordkeeping.** The permit holder shall maintain a copy of the permit along with records containing the information and data sufficient to demonstrate compliance with the permit, including production records and operating hours; keep all required records in a file at the plant site. If, however, the facility normally operates unattended, records shall be maintained at the nearest staffed location within Texas specified in the application; make the records available at the request of personnel from the commission or any air pollution control program having jurisdiction in a timely manner; comply with any additional recordkeeping requirements specified in special conditions in the permit; and retain information in the file for at least two years following the date that the information or data is obtained. [30 TAC § 116.115(b)(2)(E)]
8. **Maximum Allowable Emission Rates.** The total emissions of air contaminants from any of the sources of emissions must not exceed the values stated on the table attached to the permit entitled "Emission Sources--Maximum Allowable Emission Rates." [30 TAC § 116.115(b)(2)(F)] <sup>1</sup>
9. **Maintenance of Emission Control.** The permitted facilities shall not be operated unless all air pollution emission capture and abatement equipment is maintained in good working order and operating properly during normal facility operations. The permit holder shall provide notification in accordance with 30 TAC §101.201, 101.211, and 101.221 of this title (relating to Emissions Event Reporting and Recordkeeping Requirements; Scheduled Maintenance, Startup, and Shutdown Reporting and Recordkeeping Requirements; and Operational Requirements). [30 TAC§ 116.115(b)(2)(G)]
10. **Compliance with Rules.** Acceptance of a permit by an applicant constitutes an acknowledgment and agreement that the permit holder will comply with all rules and orders of the commission issued in conformity with the TCAA and the conditions precedent to the granting of the permit. If more than one state or federal rule or regulation or permit condition is applicable, the most stringent limit or condition shall govern and be the standard by which compliance shall be demonstrated. Acceptance includes consent to the entrance of commission employees and agents into the permitted premises at reasonable times to investigate conditions relating to the emission or concentration of air contaminants, including compliance with the permit. [30 TAC § 116.115(b)(2)(H)]
11. **This** permit may not be transferred, assigned, or conveyed by the holder except as provided by rule. [30 TAC § 116.110(e)]
12. **There** may be additional special conditions attached to a permit upon issuance or modification of the permit. Such conditions in a permit may be more restrictive than the requirements of Title 30 of the Texas Administrative Code. [30 TAC § 116.115(c)]
13. **Emissions** from this facility must not cause or contribute to "air pollution" as defined in Texas Health and Safety Code (THSC) §382.003(3) or violate THSC § 382.085. If the executive director determines that such a condition or violation occurs, the holder shall implement additional abatement measures as necessary to control or prevent the condition or violation.
14. **The** permit holder shall comply with all the requirements of this permit. Emissions that exceed the limits of this permit are not authorized and are violations of this permit. <sup>1</sup>

<sup>1</sup> Please be advised that the requirements of this provision of the general conditions may not be applicable to greenhouse gas emissions.

## SPECIAL CONDITIONS

Permit Numbers 56641 and PSD-TX-1034

### FUEL SPECIFICATIONS, AND WORK PRACTICES

1. This permit covers the installation and operation of eight Caterpillar, Model G3520C, 2,172 brake-horsepower (bHP) landfill, gas-fired engines for the generation of up to a total of 12.52 megawatts of (nominal rating) electricity. This permit also covers the installation of a Landfill Gas (LFG) Treatment System including gas compression (via blowers), liquids removal (via knock-out and chilling), and particulate removal (via filter).
2. Fuel fired in the engines is limited to LFG containing no more than 600 parts per million by volume (ppmv) total sulfur. The use of any other fuel will require an amendment to this permit. **(12/08)**

### FEDERAL APPLICABILITY

3. The LFG Treatment System shall comply with all applicable requirements of the U.S. Environmental Protection Agency (EPA) regulations on Standards of Performance for New Stationary Sources promulgated for Municipal Solid Waste Landfills in Title 40 Code of Federal Regulation Part 60, Subparts A and WWW (40 CFR Part 60, Subparts A and WWW).
4. If any condition of this permit is more stringent than the regulations so incorporated, then for the purposes of complying with this permit, the permit shall govern and be the standard by which compliance shall be demonstrated.

### INITIAL DETERMINATION OF COMPLIANCE

5. The holder of this permit shall perform stack testing to establish the actual pattern and quantities of air contaminants being emitted from one of the engines. The holder of this permit shall provide test facilities and conduct test operations at his expense.

Gaseous sampling ports and sampling platforms shall be incorporated into the design of the engine stack per specifications in the attachment entitled AChapter 2, Stack Sampling Facilities@ of the Texas Commission on Environmental Quality (TCEQ) Sampling Procedures Manual. Alternate sampling facility designs may be submitted for approval by the TCEQ Regional Director.

## SPECIAL CONDITIONS

Permit Numbers 56641 and PSD-TX-1034

Page 2

- A. The TCEQ San Antonio Regional Office shall be contacted as soon as testing is scheduled but not less than 45 days prior to sampling to schedule a pretest meeting.

The notice shall include:

- (1) Date for pretest meeting.
- (2) Date sampling will occur.
- (3) Name of firm conducting sampling.
- (4) Type of sampling equipment to be used.
- (5) Method or procedure to be used in sampling.
- (6) Method or procedure used to determine engine load.

The purpose of the pretest meeting is to review the necessary sampling and testing procedures, to provide the proper data forms for recording pertinent data, and to review the format procedures for submitting the test reports.

A written proposed description of any deviation from sampling procedures specified in permit conditions or TCEQ or EPA sampling procedures shall be made available to the TCEQ prior to the pretest meeting. The TCEQ San Antonio Regional Director or the TCEQ Field Operations Support Division shall approve or disapprove of any deviation from specified sampling procedures. Requests to waive testing for any pollutant specified in Section B of this condition shall be submitted to the TCEQ Air Permits Division in Austin.

- B. Air contaminants emitted from the engine to be tested for include (but are not limited to) nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO), oxygen (O<sub>2</sub>), and volatile organic compounds (VOC). Emissions shall be determined by appropriate EPA methods or other methods approved by the TCEQ San Antonio Regional Director or the TCEQ Field Operations Support Division prior to sampling.
- C. Emissions of NO<sub>x</sub> and CO shall be sampled at three points in the normal operating range including the upper and lower ends of full engine load range. For each test, the following engine operating parameters shall be clearly described in the sampling report: air-fuel ratio, exhaust O<sub>2</sub> content, percent water in the exhaust, engine speed, and horsepower.

## SPECIAL CONDITIONS

Permit Numbers 56641 and PSD-TX-1034

Page 3

- D. Emissions of NO<sub>x</sub>, CO, and VOC shall demonstrate compliance with the following limits:

<u>Emission Unit</u>	<u>Air Contaminant</u>	<u>Emission Rate Limit</u>
Caterpillar	NO <sub>x</sub>	0.6 g/hp-hr
G3520C	CO	2.8 g/hp-hr
2,172 bHP	VOC	0.16 g/hp-hr

The emission rates shall be reported in brake specific units of gram per horsepower-hour (g/hp-hr) and in units of pounds per hour. The g/hp-hr limits for NO<sub>x</sub>, CO, and VOC listed above, along with the hourly and annual emission rate limits referenced in the attached maximum allowable emission rates table (MAERT), represent the best available control technology and are applicable under all engine load conditions.

- E. For test purposes only, the holder of this permit may operate the engine outside its proposed operating range during the initial performance test solely for the purpose of determining the compliance operating range of the engine. Exceedance of emission limits during initial performance testing will not be considered a violation of the permit.
- F. Sampling shall be performed within 180 days after initial start-up of the engine and at such other times as required by the Executive Director of the TCEQ. Requests for additional time to perform sampling shall be submitted to the TCEQ San Antonio Regional Office.
- G. Two copies of the final sampling report shall be forwarded to the TCEQ within 45 days after sampling is completed. Sampling reports shall comply with the attached provisions of Chapter 14 of the TCEQ Sampling Procedures Manual. The reports shall be distributed as follows:

One copy to the TCEQ San Antonio Regional Office.

One copy to the EPA Region 6.

## CONTINUOUS DETERMINATION OF COMPLIANCE

6. In order to demonstrate that emission limits specified in the MAERT are continuously met, the holder of this permit shall perform the following:



## SPECIAL CONDITIONS

Permit Numbers 56641 and PSD-TX-1034

Page 4

Conduct evaluations of engine performance every three months (quarterly) at full engine load and speed by measuring the NO<sub>x</sub>, CO, and O<sub>2</sub> content of the exhaust. Individual engines shall be subject to quarterly performance evaluation only if they were in operation for 1,000 hours or more during the subject three month (quarterly) period. The performance of each engine shall be evaluated at a minimum once per year regardless of hours of operation.

The use of portable analyzers specifically designed for measuring the concentration of each contaminant in parts per million by volume is acceptable for these evaluations. A hot air probe or equivalent shall be used with portable analyzers to prevent error in results due to high exhaust gas temperatures. Three sets of measurements shall be averaged to determine the concentrations. Prior to and following the measurements, the portable analyzer shall be checked for accuracy using an audit gas that conforms to the specifications in 40 CFR Part 60, Appendix F, 5.1.2(3). Any other method approved by the TCEQ San Antonio Regional Director is also acceptable.

Emissions shall be measured and recorded in the as-found operating condition, except no compliance determination shall be established during start-up, shutdown, or under breakdown conditions.

7. An evaluation of the LFG Treatment System shall be conducted every three months (quarterly). Evaluations shall include confirmation that all scheduled maintenance on the LFG Treatment System components during the applicable time period was performed and confirmation that no LFG was utilized as fuel for the engines without first being treated in the LFG Treatment System.

## RECORDKEEPING

8. The following records shall be kept at the plant for the life of the permit. All records required in this permit shall be made immediately available upon request to designated representatives of the TCEQ, EPA, or any local air pollution control program having jurisdiction.
  - A. A copy of this permit.
  - B. Permit application submitted September 2003, and subsequent representations submitted to the TCEQ.
  - C. The results of the initial stack test required in Special Condition No. 5.

## SPECIAL CONDITIONS

Permit Numbers 56641 and PSD-TX-1034

Page 5

9. The following information shall be maintained at the plant by the holder of this permit in a form suitable for inspection for a period of five years after collection and shall be made immediately available upon request to representatives of the TCEQ, EPA, or any local air pollution control program having jurisdiction.
  - A. Date and description of any engine maintenance and any LFG Treatment System maintenance.
  - B. Quarterly records of total sulfur content in the fuel. Fuel sampling and analysis shall occur at least once every quarter. Additional samples may be obtained during the same quarter and shall be averaged with the first sample to obtain an average fuel sulfur content for the entire quarter. **(12/08)**
  - C. Quarterly records of the quantity of LFG routed to the power station. **(12/08)**
  - D. Quarterly records of total SO<sub>2</sub> emissions based on the quarterly fuel sulfur content and quarterly fuel usage records described in Special Condition Nos. 9.B. and 9.C. The total SO<sub>2</sub> emissions for the current quarter shall be added to the SO<sub>2</sub> emissions from the previous three quarters to obtain a total annual SO<sub>2</sub> emission rate which must comply with the limits listed in the Maximum Allowable Emission Rates Table. **(12/08)**
  - E. The results of the quarterly evaluations required in Special Condition Nos. 6 and 7.
  - F. The records of all incidences when untreated LFG was utilized as fuel for the engines.
  - G. Stack sampling results or other air emissions testing that may be conducted on units authorized under this permit after the date of issuance of this permit.
  - H. A copy of all reports required by Special Condition No. 10.
  - I. Monthly records of total power station electrical production.

## REPORTING

10. The holder of this permit shall submit to the TCEQ San Antonio Regional Office, quarterly reports, no later than 45 days after the end of the quarter, containing the following:
  - A. Results of the quarterly evaluations required in Special Condition Nos. 6 and 7.

SPECIAL CONDITIONS

Permit Numbers 56641 and PSD-TX-1034

Page 6

- B. The date and duration of each incident when untreated LFG was utilized as a fuel in the engines.
- C. In addition to requirements under Title 30 Texas Administrative Code § 101.201 and 101.211 a summary of the periods of emission limit exceedance.
- D. When no excess emissions or air pollution control equipment failures or adjustments have occurred, such information shall be stated in the report.
- E. The results of quarterly total sulfur concentration analyses, LFG fuel usage, and SO<sub>2</sub> emission calculations. **(12/08)**

Dated December 15, 2008

## EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

Permit Numbers 56641 and PSD-TX-1034

This table lists the maximum allowable emission rates and all sources of air contaminants on the applicant's property covered by this permit. The emission rates shown are those derived from information submitted as part of the application for permit and are the maximum rates allowed for these facilities. Any proposed increase in emission rates may require an application for a modification of the facilities covered by this permit.

### AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	<u>Emission Rates *</u>	
			lb/hr	TPY**
E1	Engine 1 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
E2	Engine 2 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
E3	Engine 3 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
E4	Engine 4 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
E5	Engine 5 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12

## EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

## AIR CONTAMINANTS DATA

Emission Point No. (1)	Source Name (2)	Air Contaminant Name (3)	<u>Emission Rates *</u>	
			lb/hr	TPY**
E6	Engine 6 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
E7	Engine 7 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
E8	Engine 8 Caterpillar, Model G3520C 2,172 bHP	NO <sub>x</sub>	2.87	12.58
		CO	13.41	58.73
		VOC	0.76	3.34
		SO <sub>2</sub>	3.29	5.64
		PM <sub>10</sub>	0.71	3.12
	Fugitives (4)	VOC	0.04	0.18

- (1) Emission point identification - either specific equipment designation or emission point number from a plot plan.
- (2) Specific point source names. For fugitive sources, use an area name or fugitive source name.
- (3) VOC - volatile organic compounds as defined in Title 30 Texas Administrative Code § 101.1  
 NO<sub>x</sub> - total oxides of nitrogen  
 SO<sub>2</sub> - sulfur dioxide  
 PM<sub>10</sub> - particulate matter (PM) equal to or less than 10 microns in diameter. Where PM is not listed, it shall be assumed that no particulate matter greater than 10 microns is emitted.  
 CO - carbon monoxide
- (4) Fugitive emissions are an estimate only and should not be considered as a maximum allowable emission rate. Fugitive emissions include emissions from the Landfill Gas Treatment System.

EMISSION SOURCES - MAXIMUM ALLOWABLE EMISSION RATES

- \* Emission rates are based on and the facilities are limited by the following maximum operating schedule:  
24 Hrs/day 7 Days/week 52 Weeks/year or 8,760 Hrs/year
- \*\* Compliance with annual emission limits is based on a rolling 12-month period.

Dated December 15, 2008